

REMARKS

Pursuant to the Office Action date April 1, 2009, Applicant is required, in reply to this action, to elect a single species in regards to the emulsion comprising one or more of a *styrene/acrylic copolymer, a styrene homopolymer, a vinylidene vinyl chloride copolymer, and methylphenyl siloxane.*

Applicant hereby elects an emulsion comprising *styrene/acrylic copolymer*, with traverse, for further prosecution. Applicant submits that claims 1-12 are readable upon the selected species.

The Office Action states that the species listed above do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding technical features for the following reasons: the above specific polymers in said emulsions have different chemical and physical properties, further, that there is nothing of record that states that all said polymeric emulsion species stand and fall together.

Pursuant to 37 C.F.R. §1.143, Applicant respectfully requests reconsideration and withdrawal of the election requirement. In support of this request, Applicant submits that all of the resins of Claim 2 share the common physical property of “having a solubility parameter of within substantially $0.5 \text{ (cal cm}^{-3})^{1/2}$ of the solubility parameter of the polymeric material,” as required in Claim 1, and thus are directed to a single general inventive concept. Support for this requirement can be found in the specification at page 3, lines 18-30, and page 8, lines 18-24. *See WO2004/055132.*

In view of the above, it is submitted that the claims are in condition for allowance. An action on the merits is awaited.

The Director is hereby authorized to charge any fees or any underpayments which may be required for the above-referenced application to Deposit Account No. 01-0265.

Respectfully submitted,

/Jeffrey S. Bernard/

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